

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SY-05 L-03 PM-03 DODE-00 SCS-03 SCA-01

CIAE-00 INR-07 NSAE-00 PA-01 PRS-01 SS-15 NSC-05

USIA-06 SP-02 /065 W

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R 030925Z JUN 75

FM AMEMBASSY ATHENS

TO SECSTATE WASHDC 8966

INFO CINCUSNAVEUR

CMC WASHDC

COMFAIRMED

FLESUPPO ATHENS

NAVSUPPACT NAPLES

MARBKS NAPLES

MARSECURITY GRD BN WASHDC

NAVY JAG

NAVLEGSVCOFF NAPLES

NAVLEGSVCBROFF ATHENS

C O N F I D E N T I A L ATHENS 4054

E.O. 11652: GDS

TAGS: ASEC AFSP MILI OGEN GR

SUBJ: CASE OF MSG TELESFORO SANCHEZ

REF ATHENS 4046

FOLLOWING IS TEXT OF EMBASSY NOTE 136 DATED MAY 27, REFERRED TO IN PARA 1 OF REFTEL: QUOTE THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLEMENTS TO THE MINISTRY OF FOREIGN AFFAIRS AND HAS THE HONOR TO REFER TO THE CASE OF SGT. TELESFORO SANCHEZ AND TO ITS AIDE-MEMOIRE OF APRIL 3, 1975, AT WHICH TIME THE EMBASSY INFORMED THE MINISTRY OF THE INTENTION OF THE UNITED STATES TO TRY SGT. SANCHEZ FOR THE OFFENSES ALLEGED AGAINST HIM AS A RESULT OF AN INCIDENT WHICH OCCURRED ON THE NIGHT OF DECEMBER 30, 1974.

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AS THE EMBASSY HAS PREVIOUSLY DISCUSSED WITH THE MINISTRY, SGT. SANCHEZ IS A MEMBER OF THE ADMINISTRATIVE AND TECHNICAL STAFF OF THE EMBASSY, AS UNITED STATES MARINE SECURITY GUARDS ARE IN EMBASSIES THROUGHOUT THE WORLD, AND AS SUCH IS ENTITLED UNDER ARTICLE 37, PARAGRAPH 2, OF THE VIENNA CONVENTION OF 1961 TO IMMUNITY FROM THE CRIMINAL JURISDICTION OF THE RECEIVING STATE AS PROVIDED IN ARTICLE 31 OF THAT CONVENTION. IN VIEW OF THE DECISION OF THE UNITED STATES GOVERNMENT NOT TO WAIVE THE IMMUNITY TO WHICH SGT. SANCHEZ IS ENTITLED, THE EMBASSY REMAINS VITALLY INTERESTED IN ENSURING THAT THE COURT MARTIAL TRIAL OF THE CHARGES PREFERRED AGAINST SGT. SANCHEZ WILL BE HELD AS SOON AND WITH THE FULLEST PRESENTATION OF EVIDENCE AS POSSIBLE. AS THE MINISTRY WILL RECALL, UNREASONABLE DELAYS IN HOLDING THE COURT MARTIAL TRIAL RAISE SERIOUS DOUBTS THAT THE CONSTITUTIONAL RIGHTS OF SGT. SANCHEZ HAVE BEEN PROTECTED AND JEOPARDIZE THE POSSIBILITY OF A SUCCESSFUL COMPLETION OF THE COURT MARTIAL TRIAL.

IN ORDER TO ARRANGE A COURT MARTIAL TRIAL IN GREECE WHERE ESSENTIAL GREEK WITNESSES CAN APPEAR, THE EMBASSY REQUESTS THAT THE GOVERNMENT OF GREECE CONCUR IN A DECISION TO HOLD THE COURT MARTIAL ON GREEK TERRITORY. THE EMBASSY WOULD ALSO, OF COURSE, APPRECIATE THE COOPERATION OF THE COGNIZANT GREEK AUTHORITIES IN ENSURING THE PRESENCE OF NECESSARY WITNESSES DURING SUCH A COURT MARTIAL TRIAL, AS THEIR AVAILABILITY IS ESSENTIAL TO THE SUCCESSFUL COMPLETION OF A COURT MARTIAL TRIAL.

THE EMBASSY ALSO WISHES, THROUGH THE GOOD OFFICES OF THE MINISTRY, TO INVITE AN OBSERVER FROM AN APPROPRIATE AGENCY OF THE GOVERNMENT OF GREECE TO BE PRESENT IN AN UNOFFICIAL CAPACITY THROUGHOUT SUCH A COURT MARTIAL TRIAL. SHOULD THE GOVERNMENT OF GREECE CHOOSE TO DESIGNATE SUCH A PERSON, THE EMBASSY WOULD APPRECIATE BEING INFORMED OF THE NAME OF THE OBSERVER AND WILL THEN INFORM THE APPROPRIATE UNITED STATES MILITARY LEGAL AUTHORITIES.

THE EMBASSY OF THE UNITED STATES OF AMERICA ETC. UNQUOTE.  
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## Message Attributes

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**Channel Indicators:** n/a  
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**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
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**Reference:** 75 ATHENS 4046  
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**Review Authority:** CunninFX  
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**Review Date:** 09 APR 2003  
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**Status:** NATIVE  
**Subject:** CASE OF MSG TELESFORO SANCHEZ  
**TAGS:** ASEC, AFSP, MILI, OGEN, GR, (SANCHEZ, TELESFORO)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006